

Board of Sumter County Commissioners

Division of Planning & Development

Code Compliance Department

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Website: <http://sumtercountyfl.gov>



SPECIAL MASTER HEARING

May 28, 2009 @ 3:00 PM

Present: Special Master R. Lee Hawkins, Jr., County Attorney Jason Smith, Alysia Akins - Code Secretary, Dwayne Ausley - Inspector, and Edd Kaman - Inspector.

Special Master Hawkins called the hearing to order at 3:02 PM and followed with the Pledge of Allegiance.

Special Master Hawkins entered the minutes of the Special Master Hearing from 4/30/09 into the record as submitted.

Mr. Ausley and Mr. Kaman were sworn in.

OLD BUSINESS:

The following cases have complied:

CE2008-0240/Bidiyanath

CE2008-0343/Tampa Bay Federal Credit Union

CE2008-0417/Kinney

CE2008-0422/Sherwood

The following case has complied with costs/fines due:

CE2009-0002/Custer

The following case has **not** complied:

CE2008-0386/Crampton

NEW BUSINESS:

1) Case #: CE2009-0097

Name: Gary J. II & Jennifer A. Dupuis

Address: 11678 CR 207, Oxford

Violation: 21-1(A)

Inspector: Lee Hartman

Recommendation: **COMPLIED-no further action required**

- 2) Case #: CE2009-0092
Name: JR Ministries, Inc.
Address: 1577 CR 435, Lake Panasoffkee
Violation: 13-E.3.1.2 SHC 307.4
Inspector: Dwayne Ausley
Recommendation: **HEAR CASE/COMPLIED**

The Respondent was not present. The Respondent was sent a Notice of Hearing via certified mail and the property was posted regarding the code case that began on 3/24/09. The property does not have homestead exemption. Mr. Ausley's last visit to the property was on 5/28/09, and the property was found in compliance. Mr. Ausley testified the property is in compliance; however, the Respondent is a repeat violator and discussed the property history from 2003-2008 regarding code violations.

Mr. Ausley recommended any future fines and costs be pursued as a "Repeat Violator". Mr. Ausley recommended no costs be assessed at this time.

Special Master Hawkins recommended any future violations be noticed as "Repeat Violations" and scheduled for hearing as soon as feasible.

- 3) Case #: CE2008-0326
Name: Gregory J. & Dawneeka Zerniak
Address: 4465 CR 502, Wildwood
Violation: 13-E.3.1.2 SHC 307.4
Inspector: Dwayne Ausley
Recommendation: **HEAR CASE**

Special Master Hawkins tabled this case to the 6/25/09 hearing in order to serve proper notice.

- 4) Case #: CE2008-0347
Name: Jeffrey E. & Dawn M. Revis
Address: 3475 CR 521, Wildwood
Violation: 13-E.3.1.2 SHC 307.4
Inspector: Dwayne Ausley
Recommendation: **COMPLIED-no further action required**

- 5) Case #: CE2009-0018
Name: James G. III & Susan RC Brown
Address: 3361 CR 521, Wildwood
Violation: 6-104(2), 6-104(3), 6-104(5)
Inspector: Dwayne Ausley
Recommendation: **HEAR CASE (no green card received)**

Special Master Hawkins tabled this case to the 6/25/09 hearing in order for the property to be posted.

6) Case #: CE2008-0458

Name: Gladys K. Jackson

Address: 9916 SW 1st Way, Webster

Violation: 13-364(B)(2)(E)

Inspector: Edd Kaman

Recommendation: **COMPLIED-no further action required**

7) Case #: CE2008-0509

Name: James A. Phelps

Address: 10804 CR 683D, Webster

Violation: 6-104(2) & 6-104(5)

Inspector: Edd Kaman

Recommendation: **HEAR CASE**

The Respondent was not present. The Respondent was sent a Notice of Hearing via certified mail regarding the code case that began on 2/9/09. The property has homestead exemption. Mr. Kaman's last visit to the property was on 5/28/09, and the property was not in compliance. Mr. Kaman submitted photos of the violations taken on 5/28/09 into the record. Mr. Kaman testified there are tires, mattresses, and a lawn mower on the property along with overgrowth.

Mr. Kaman recommended the Respondents bring the property into compliance by 6/15/09 by mowing and maintaining the property, removing the trash and debris, and paying staff costs in the amount of \$411.06. If not, a \$25 daily fine be ordered until the property is found in compliance and staff costs are paid.

Special Master Hawkins found the property in violation due to the trash, debris and overgrowth. The Respondent was ordered to bring the property into compliance by mowing and maintaining the property, removing the trash and debris, and paying costs in the amount of \$411.06 within 2 weeks of receipt of the Order. If not, a \$25 daily fine will be assessed until the property is found in compliance and costs are paid.

8) Case #: CE2008-0362

Name: John E. Saker

Address: 4854 CR 686, Webster

Violation: 6-104(2) & 13-E.3.1.2 SHC 307.4

Inspector: Edd Kaman

Recommendation: **HEAR CASE**

The Respondent's son and occupant of the property, Scott John Saker, was present and sworn in. The Respondent was sent a Notice of Hearing via certified mail regarding the code case that began on 9/11/08. The property does not have homestead exemption. Mr. Kaman's last visit to the property was on 5/28/09, and the property was not in compliance. Mr. Kaman submitted photos of the violations taken on 5/28/09 into the record. Mr. Kaman testified 6-7 loads of debris has been removed; however, inoperable vehicles and miscellaneous debris remained on the property. Mr. Kaman testified a trailer is loaded with debris to be hauled away. Mr. Kaman testified the property has been mowed.

Mr. Kaman recommended the Respondents bring the property into compliance by 6/15/09 by removing the remaining debris, correcting the inoperable vehicles issue, and paying staff costs in the amount of \$411.06. If not, a \$25 daily fine be ordered until the property is found in compliance and staff costs are paid.

Mr. Saker testified the Violation Notices were sent to his father, the property owner. Mr. Saker testified he has a medical condition and is finally able to do some work in the yard.

Special Master Hawkins found the property in violation due to the remaining debris and inoperable vehicles. The Respondent was ordered to bring the property into compliance by removing the remaining debris, correcting the inoperable vehicles issue, and paying costs in the amount of \$411.06 by 6/15/09. If not, a \$25 daily fine will be assessed until the property is found in compliance and costs are paid.

9) Case #: CE2009-0086

Name: RW Drew, Trustee

Address: 11303 CR 683E, Webster

Violation: 6-104(2), 6-104(3), and 6-104(5)

Inspector: Edd Kaman

Recommendation: **COMPLIED-no further action required**

There was no other business to discuss; therefore, Special Master Hawkins adjourned at approximately 3:30 PM.